

REMARKS

This Amendment is being filed in response to the Final Office Action mailed November 25, 2008, which has been reviewed and carefully considered. Entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-13, 15-29, 31 and 33-35 remain in this application, where claims 30 and 32 have been canceled without prejudice, and claims 33-35 have been added. Claims 1, 21 and 26 are independent.

In the Final Office Action, claims 21-29, 31 and 33-34 is rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Without agreeing with the position forwarded in the Office Action and in the interest of advancing prosecution, claims 21 and 26 have been amended to remove the alleged informality noted in the Office Action. It is respectfully submitted that the rejection of claims 21-29, 31 and 33-34 has been overcome and an indication as such is respectfully requested.

In the Final Office Action, claims 1, 3-4, 9-10, 13, 15, 26

and 28 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,901,210 (Heo) in view of by U.S. Patent No. 6,693,869 (Ballantyne) and U.S. Patent No. 6,636,958 (Abboud) and U.S. Patent No. 6,260,043 (Puri). Claim 2, 5, 7-8 and 11-12 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud, Puri and U.S. Patent Application Publication No. 2002/0181376 (Acker). Claim 6 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud, Puri and U.S. Patent Application Publication No. 2002/0131767 (Auwens). Claims 16-17 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud, Puri and U.S. Patent Application Publication No. 2003/0103429 (Senshu). Claim 18 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud, Puri and U.S. Patent No. 6,792,437 (Rafanello). Claims 19-20 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud, Puri and U.S. Patent Application Publication No. 2003/0009334 (Printz). Claims 21-24 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over

Acker in view of Heo, Ballantyne, Abboud and Puri. Claim 25 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Acker in view of Heo, Abboud, Puri and U.S. Patent Application Publication No. 2002/0064111 (Horie). Claims 27 and 31 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud, Puri and U.S. Patent No. 6,081,447 (Lofgren). Claim 29 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Acker in view of Heo, Abboud and Lofgren. Claims 33 and 35 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo, Ballantyne, Abboud, Puri and U.S. Patent No. 6,526,475 (Everett). Claim 34 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Acker in view of Heo, Abboud, Puri and Everett. It is respectfully submitted that claims 1-13, 15-29, 31 and 33-35 are patentable over Heo, Ballantyne, Abboud, Puri, Acker, Auwens, Senshu, Rafanello, Printz, Horie, Lofgren and Everett for at least the following reasons.

On pages 5-6 and 22-23 of the Final Office Action, in rejecting claims 1, 21 and 26, the Examiner correctly noted that Heo, Acker, Ballantyne and Abboud, do not disclose or suggest that

"wherein said access means is further configured to see all files of multiple formats included in the record carrier including recognizing a file having one format on the record carrier without understanding content of the file, and ignoring the file having the one format," as recited in independent claim 1, and similarly recited in independent claims 21 and 26. Puri is cited in an attempt to remedy the deficiencies in Heo, Acker, Ballantyne and Abboud.

Puri is directed to an automatic file format converter that determines, prior to operation of an application program module, that a foreign file format is fully convertible to a native file format, as recited in the Abstract.

In stark contrast, the present invention as recited in amended independent claim 1, and similarly recited in independent claims 21 and 26, amongst other patentable elements recites (illustrative emphasis provided):

wherein said access means is further configured to see all files of multiple formats included in the record carrier including recognizing a file having one format on the record carrier without understanding content of the file, and ignoring the file having the one format without making an attempt to interpret the

file having the one format.

Recognizing a file having one format on the record carrier without understanding content of the file, and ignoring this file having this format without making an attempt to interpret the file having the one format are nowhere taught or suggested in Heo, Acker, Ballantyne, Abboud and Puri, alone or in combination. Rather, Puri discloses to determine, prior to operation of an application program module, that a foreign file format is fully convertible to a native file format. Auwens, Senshu, Rafanello, Printz, Horie, Lofgren and Everett are cited to allegedly show other features and do not remedy the deficiencies in Heo, Acker, Ballantyne, Abboud and Puri.

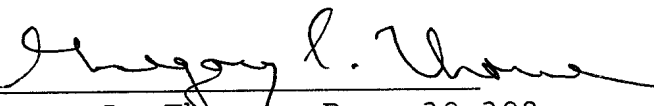
Accordingly, it is respectfully submitted that independent claims 1, 21 and 26 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-13, 15-20, 22-25, 37-29, 31 and 33-35 should also be allowed at least based on their dependence from independent claims 1, 21 and 26.

In addition, Applicants deny any statement, position or

averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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